

# Enforcement Case File Information

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## Enforcement Accident Information

<b>FAT/CAT Number</b>	<b>Inspection Number / Program</b>	<b>UBI / Bus Loc</b>	<b>Account ID / Site Region</b>
102416312	317937532 / Health	600105206 / 339553	01190701 / 1055360
<b>CSHO ID / CSHO Name</b>		<b>CSHO Region</b>	<b>OSHA Accident Number</b>
Y1116 / (b) (6), (b) (7)(C)		1055360	1013646
<b>Primary NAICS</b>	<b>Primary NAICS Description</b>		
423930	RECYCLABLE MATERIAL MERCHANT WHOLESALERS		
<b>Site Address</b>		<b>Mailing Address</b>	<b>Event Address</b>
PACIFIC RECYCLING 1114 N Ralph Spokane, WA 99214		PACIFIC RECYCLING 5 River Dr South Great Falls, MT 59405	PACIFIC RECYCLING 1114 N Ralph Spokane, WA 99214
<b>Person in Charge at Scene</b>		<b>Employer Contact</b>	
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)	
Phone:		Phone: (b) (6), (b) (7)(C)	
Fax:		Fax:	
Email:		Email:	
<b>Source of Report</b>		<b>Other Contact</b>	
(b) (6), (b) (7)(C)		Phone:	
<b>Source Type:</b> Employer/Employer Representative		Fax:	
Phone: (b) (6), (b) (7)(C)		Email:	
Fax:			
Email:			
<b>How Reported:</b> Phone			
<b>OIS Investigation Number</b>		<b>Victim List</b>	
202758007		Edward Dumaw (b) (6), (b) (7)(C)	
<b>Date/Time Reported</b>	<b>Event Date/Time</b>	<b>When Will/Did DOSH Arrive at Scene Date/Time</b>	<b>Classification</b>
8/12/2015 1:12 PM	8/12/2015 9:45 AM	8/12/2015 4:45 PM	A
<b>Number of Employees</b>	<b>Number of Fatalities</b>	<b>Hospitalized Injuries</b>	
120	1	4	
<b>Non-Hospitalized Injuries</b>	<b>Number Unaccounted For</b>	<b>Type of Event</b>	
		Chemical release	

<b>Preliminary Description</b>			
Employees were working when a chlorine tank was being crushed by a compactor/shreading machine and a yellow cloud came out. Five employees were taken to the hospital; four were admitted and one released. One of the admitted went into cardiac arrest and was pronounced dead on 8/15/2015. Employees of other nearby businesses were also affected. Multiple emergency agencies responded.			
<b>Assigned To</b>	<b>Assigned Supervisor</b>	<b>Inspection Planned</b>	<b>Case Received Date</b>
Y1116 (b) (6), (b) (7)(C)		Yes	2/1/2016
<b>Reason If No Inspection</b>			



## Enforcement Victim Information

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<b>Inspection Number / Program</b>	<b>Triggering Activity</b>	<b>UBI / Bus Loc</b>	<b>Account Number</b>
317937532 / Health	102416312	600105206 / 339553	01190701
<b>Establishment DBA / Legal Name</b>		<b>Assignment Type / Site Region</b>	<b>CSHO / CSHO Region</b>
PACIFIC RECYCLING / PACIFIC HIDE & FUR DEPOT DBA PACIFIC HIDE &		Accident / 1055360	Y1116 (b) (6), (b) (7)(C) / 1055360

<b>Last Name</b>	<b>First Name</b>	<b>Age</b>	<b>Gender</b>	<b>Union</b>	<b># Minor Children</b>
Dumaw	Edward	44	Male		
<b>Injury</b>	<b>Nature of Injury</b>	<b>Part of Body</b>			
Work-Related Fatality	Burn (chemical)	Lung			
<b>Source of Injury</b>	<b>Task</b>	<b>Event Type</b>			
Chemical Liquids/Vapors	Regularly Assigned	Inhalation			
<b>Environmental Factors</b>					
Gas, vapor, mist fume, dust, etc. condition					
<b>Human Factors</b>					
Misjudgment of Hazardous Situation					
<b>Next of Kin Name</b>		<b>Relationship To Victim</b>	<b>Phone</b>		
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)		

<b>Last Name</b>	<b>First Name</b>	<b>Age</b>	<b>Gender</b>	<b>Union</b>	<b># Minor Children</b>
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Male		
<b>Injury</b>	<b>Nature of Injury</b>	<b>Part of Body</b>			
Hospitalized	Burn (chemical)	Lung			
<b>Source of Injury</b>	<b>Task</b>	<b>Event Type</b>			
Gases	Regularly Assigned	Inhalation			
<b>Environmental Factors</b>					
Gas, vapor, mist fume, dust, etc. condition					
<b>Human Factors</b>					
Misjudgment of Hazardous Situation					

<b>Last Name</b>	<b>First Name</b>	<b>Age</b>	<b>Gender</b>	<b>Union</b>	<b># Minor Children</b>
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Male		
<b>Injury</b>	<b>Nature of Injury</b>	<b>Part of Body</b>			
Hospitalized	Burn (chemical)	Lung			
<b>Source of Injury</b>	<b>Task</b>	<b>Event Type</b>			
Gases	Regularly Assigned	Inhalation			
<b>Environmental Factors</b>					
Gas, vapor, mist fume, dust, etc. condition					
<b>Human Factors</b>					

Misjudgment of Hazardous Situation

<b>Last Name</b>	<b>First Name</b>	<b>Age</b>	<b>Gender</b>	<b>Union</b>	<b># Minor Children</b>
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Male		
<b>Injury</b>	<b>Nature of Injury</b>	<b>Part of Body</b>			
Hospitalized	Burn (chemical)	Lung			
<b>Source of Injury</b>	<b>Task</b>	<b>Event Type</b>			
Gases	Regularly Assigned	Inhalation			
<b>Environmental Factors</b>					
Gas, vapor, mist fume, dust, etc. condition					
<b>Human Factors</b>					
Misjudgment of Hazardous Situation					

<b>Last Name</b>	<b>First Name</b>	<b>Age</b>	<b>Gender</b>	<b>Union</b>	<b># Minor Children</b>
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Male		
<b>Injury</b>	<b>Nature of Injury</b>	<b>Part of Body</b>			
Hospitalized	Burn (chemical)	Lung			
<b>Source of Injury</b>	<b>Task</b>	<b>Event Type</b>			
Gases	Regularly Assigned	Inhalation			
<b>Environmental Factors</b>					
Gas, vapor, mist fume, dust, etc. condition					
<b>Human Factors</b>					
Misjudgment of Hazardous Situation					

## Enforcement Inspection Information

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<b>Inspection Number / Program</b>	<b>Triggering Activity</b>	<b>UBI / Bus Loc</b>	<b>Account Number</b>	
317937532 / Health	102416312	600105206 / 339553	01190701	
<b>Establishment DBA / Legal Name</b>	<b>Legal Entity</b>	<b>Assignment Type</b>	<b>Site Region</b>	<b>Inspection Scope</b>
PACIFIC RECYCLING / PACIFIC HIDE & FUR DEPOT DBA PACIFIC HIDE &	Corporation	Accident	1055360	Partial
<b>CSHO ID / CSHO Name</b>	<b>CSHO Region</b>	<b>Target List / Rank</b>	<b>On List</b>	<b>OSHA Inspection Number</b>
Y1116 / (b) (6), (b) (7)(C)	1055360	None	Y	1112158
<b>Primary NAICS</b>		<b>Primary NAICS Description</b>		
423930		RECYCLABLE MATERIAL MERCHANT WHOLESALERS		
<b>Site NAICS</b>		<b>Site NAICS Description</b>		
423930		RECYCLABLE MATERIAL MERCHANT WHOLESALERS		
<b>Site Address</b>		<b>Mailing Address</b>		
PACIFIC RECYCLING 1114 N Ralph Spokane, WA 99214 Phone: (509) 545-0688		PACIFIC RECYCLING 5 River Dr South Great Falls, MT 59405 Phone: (406) 791-8535 Fax: (406) 727-9833		
<b>Representatives</b>				
<b>Name</b>	<b>Title</b>	<b>Participation</b>	<b>Type</b>	<b>Email</b>
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Opening Conference, Walk-Around, Closing Conference	Management Official	
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Opening Conference, Walk-Around, Closing Conference	Management Official	
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Closing Conference	Management Official	
<b>Other Languages Spoken</b>				
No Other Language records to display.				
<b>Additional Citation Mailings</b>				
No Additional Citation Mailings Found				
<b>Related Activities</b>				
<b>OSHA Number</b>		<b>Type</b>		
102416312		Accident		
<b>Advance Notice</b>	<b>Opening Conference Date/Time</b>	<b>Site SIC/NAICS</b>	<b>Type of Operation</b>	
No	8/12/2015 - 4:45 PM	/ 423930	Scrap metal recycler	
<b>Inspection Type</b>	<b>Days Site Visited</b>	<b>Inspection Scope</b>	<b>Reason No Inspection</b>	
Accident	6	Partial		



<b>Asbestos Certifications</b>				
No Certifications Found				
<b>Local Emphasis Program</b>	<b>National Emphasis Program</b>	<b>Special Tracking Information</b>	<b>Cranes</b>	
		Joint Inspection		
<b>Multi-Employer Controlling Inspection Number</b>	<b>Focused Inspection: Controlling Employer</b>	<b>Focused Inspection: Sub-Contractors</b>	<b>Employers On Site</b>	
317937532	No	No		
<b>Immediate Restraint</b>	<b>Red Tag Number</b>	<b>Union</b>	<b>Hospitalization</b>	
No		No	No	
<b>Employees On Site</b>	<b>Employees Covered By Inspection</b>	<b>Employees Controlled Statewide</b>		
31	31	746		
<b>Employee Participation</b>	<b>Closing Conference Date/Time</b>	<b>Citation Issued/Date</b>	<b>Case Received Date</b>	
Interviewed	1/20/2016 - 8:50 AM	Yes 2/5/2016	2/1/2016	
<b>Citation Sent Date</b>	<b>Citation Delivery Status</b>	<b>Citation Delivery Status Date</b>		
2/5/2016	DELIVERED	2/9/2016		
<b>Citation and Notice Messages</b>				
<b>Route to P&amp;TS</b>	<b>Reason</b>	<b>Other Reason</b>		
No				
<b>Anticipatory Warrant/Subpoena Served</b>	<b>Non-Anticipatory Warrant/Subpoena Served</b>	<b>Date Denied</b>	<b>Date Re-entered</b>	
None	None			
<b>CSHO Approved Date / CSHO Approved</b>	<b>CSHO Supervisor</b>	<b>Supervisor Approved Date / Supervisor Approved</b>	<b>Send C &amp; N?</b>	<b>Case Closed Date</b>
1/28/2016 / Y1116 (b) (6), (b) (7)(C)	B2108 (b) (6), (b) (7)(C)	1/28/2016 / B2108 (b) (6), (b) (7)(C)	Yes	
<b>Inspection Summary</b>				
<p>Inspection opened: 8/12/15 with (b) (6), (b) (7)(C) assistant manager, and (b) (6), (b) (7)(C) safety manager.</p> <p>Inspection closed: 1/20/16 with (b) (6), (b) (7)(C) manager, (b) (6), (b) (7)(C) regional compliance manager (B2108), (b) (6), (b) (7)(C) CSHO in training (P2984), and (b) (6), (b) (7)(C), CSHO in training (J5872) were in attendance.</p> <p>Inspection was initiated based on a report of a hazardous materials (chlorine) leak at the Pacific Steel and Recycling facility. Inspection was opened with the assistant operations manager and the safety director.</p> <p>A 1-ton chlorine tank was loaded on a Pacific Steel truck at a site in north Spokane. The truck driver dropped his load at the crusher/shear. The chlorine tank was placed in the crusher/shear. When the crusher was started the tank ruptured releasing chlorine. The resulting gas cloud caused five (5) Pacific Steel employees to be hospitalized and one eventually passed due to cardiac arrest. (b) (6), (b) (7)(C) regional compliance manager accompanied me on one day of interviews during this inspection.</p>				



An unprogrammed related inspection was opened with Spokane Fire Department related to the hazardous materials response (317937636) at Pacific Steel and Recycling.  
Review with central office held 12/23/15.

1-1: APP not effective in practice

1-2: Training programs not effective in practice

## OSHA 300 Information

Year	OSHA 300 Data	OSHA Log Information	Hours Worked By All Employees	Annual Average Number of Employees	DART Rate	
2015	Data Checked Not Recorded					<a href="#">View</a>
2014	Data Checked Not Recorded					<a href="#">View</a>

## Letters - Case

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Description	Create Date	View
Fatality Memo	8/21/2015	<a href="#">View</a>
Closing Conference Highlights	1/19/2016	<a href="#">View</a>
Citation	2/3/2016	<a href="#">View</a>

## Attachments - Inspection Report

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Description	Notes	Create Date	View
Initial Inspection	APP	8/18/2015	<a href="#">View</a>
Initial Inspection	2015 TRAINING	8/18/2015	<a href="#">View</a>
Initial Inspection	1 of 2	1/28/2016	<a href="#">View</a>
Initial Inspection	2 of 2	1/28/2016	<a href="#">View</a>
Initial Inspection	site drawings	1/28/2016	<a href="#">View</a>
Inspection Photos		1/28/2016	<a href="#">View</a>
Inspection Photos		1/28/2016	<a href="#">View</a>
Inspection Photos		1/28/2016	<a href="#">View</a>

## Attachments - Confidential

Description	Notes	Create Date	View
Initial Confidential Documents		1/28/2016	<a href="#">View</a>
Initial Confidential Documents		1/28/2016	<a href="#">View</a>
Confidential Photos		1/28/2016	<a href="#">View</a>
Confidential Photos		1/28/2016	<a href="#">View</a>

## Enforcement Violation Information

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Inspection Number / Program				Triggering Activity		UBI / Bus Loc		Account Number	
317937532 / Health				102416312		600105206 / 339553		01190701	
Establishment DBA / Legal Name						Assignment Type / Site Region		CSHO / CSHO Region	
PACIFIC RECYCLING / PACIFIC HIDE & FUR DEPOT DBA PACIFIC HIDE &						Accident / 1055360		Y1116 (b) (6), (b) (6), / 1055360	
Violation	Item	Group	Type	Standard	Penalty	Instances	Abatement Days/Date	Date Corrected	
1	1		S	296-800-14025	3,300.00	1		8/13/2015	
1	2		S	296-800-14020	3,300.00	1		8/13/2015	
Total Penalty: \$6,600.00									

<b>Inspection Number / Program</b>		<b>UBI / BusLoc</b>		<b>CSHO ID / CSHO Region</b>	
317937532 / Health		600105206 / 339553		Y1116 / (b) (6), (b) (7)(C), (b) (7)(D) / 1055360	
<b>Triggering Activity</b>		<b>Account Number</b>		<b>Assignment Type / Site Region</b>	
102416312		01190701		Accident / 1055360	

<b>Violation #</b>	<b>Item #</b>	<b>Group</b>	<b>Standard Violated</b>		
1	1		296-800-14025		
<b>Type</b>	<b>Number of Instances</b>	<b>Number of Workers Exposed</b>	<b>Related Event Code</b>	<b>Previous Inspection # (for repeat or FTA)</b>	
S	1	5	Accident		
<b>Abatement # of Days/Date</b>	<b>Immediate Restraint</b>	<b>Egregious</b>	<b>Substance</b>	<b>Abatement Documents Required</b>	
	No	No		No	
<b>Date Corrected</b>	<b>Complied During Inspection</b>	<b>Date Verified</b>	<b>How Verified</b>	<b>Date/Time Violation Identified</b>	
8/13/2015	Yes	8/13/2015	Employer Abated	8/13/2015 10:00 AM	
<b>Statutory Penalty</b>	<b>Asbestos Good Faith</b>	<b>Asbestos # of Days</b>	<b>Severity</b>	<b>Probability</b>	
No	No		3	1	
<b>Gravity</b>	<b>Gravity Based Penalty</b>	<b>Faith / Adj</b>	<b>Size / Adj</b>	<b>History Adj</b>	
3	3000.00	Average 0.00	251+ 0.00	Below 300.00	
<b>Quick Fix / Adj</b>	<b>Adjusted Subtotal</b>	<b>Calculated Base</b>	<b>Adjusted Base</b>	<b>Base Applied</b>	
No 0.00	300.00	3,300.00	3,300.00	3,300.00	
<b>Base Applied Override Justification</b>					
N/A					
<b>Willful Factor Number</b>	<b>Repeat Factor Number</b>	<b>FTA Factor Number of Days</b>	<b>Calculated Penalty</b>	<b>Assessed Penalty</b>	
N/A	N/A	N/A	3,300.00	3,300.00	
<b>Assessed Applied Override Justification</b>					
N/A					
<p>The employer did not establish, supervise, and enforce their accident prevention program in a manner that is effective in practice. The employer had written policies that indicated no "pressurized gas cylinders/sealed containers" would be accepted into its facility prior to being "degauged or visible" employer'</p>					



<b>AVD</b>	policy also said "tanks/drums (w/out empty tank certificate)" would not be accepted. The employees worked in a scrap metal yard and placed a one-ton chlorine tank into a crusher/shear. Exposure to unknown chemicals can cause injury or death.
<b>Message</b>	
<b>How Complied</b>	Employer updated APP and retrained employees.
<b>Violation Summary Text</b>	
<b>Documentation</b>	<p>What was the hazard and location? Employer did not establish, supervise, and enforce your accident prevention program in a manner that is effective in practice. A closed 1-ton chlorine tank was accepted and shipped by an employee to its scrap metal recovery facility, then placed into a crusher/shear. The chlorine tank had not been devalved or checked for contents, when crushed the tank ruptured and chlorine gas was released.</p> <p>What were the applicable measurements or exposure data? (Make, Model, Serial Number, Height, Etc.) Employer had a written material acceptance policy and a training policy that indicated no "pressurized gas cylinders/sealed containers" would be accepted into its facility prior to being "degauged or visible" employer' policy also said "tanks/drums (w/out empty tank certificate)" would not be accepted. See attached policy. See attached Employee-owner Health, Safety &amp; Transportation Training Guide.</p> <p>Employer's Material Acceptance Policy Management Plan (attached) lists numerous examples of items not accepted, barrels and drums, compressed gas cylinders, above ground and underground storage tanks. This same plan had photos of examples of unacceptable items. No company policy adequately addressed what employees should do when a large sealed unknown container entered company possession, either on a truck, or into the facility yard. Employee interviews indicated employees had a good knowledge of most acceptance policies. Employee interviews indicated employees knew that petroleum tanks (above- or under-ground) needed to have a hole and be free of material. Employees knew that small gas cylinders like propane tanks, acetylene tanks, medical gasses could not be accepted. Employees also knew that small sealed cylinders that were in the facility needed to be put aside into the "cage" but, employees had not been provided adequate direction related to what to do with large sealed containers like boiler tanks, water tanks, or in this case a chlorine tank.</p> <p>How are employees exposed to the hazard? The chlorine tank had not been devalved or checked for contents. When crushed the tank ruptured and chlorine gas was released. Five employees went to the hospital due to chlorine exposure. One hospitalized employee died as a result of the exposure.</p> <p>How long has the hazard existed? At least one shift.</p> <p>Employee Exposure Information: (Name and Job Title) Ed Dumaw, Operator (b) (6), (b) (7)(C)</p>



	<p>(b) (6), (b) (7)(C)</p> <p>What did employee(s) say about this violation/hazard?</p> <p>When asked what type of tank he thought it was (b) (6), (b) (7)(C) (shear operator) said, "it looked like a big water tank to me." When asked as a follow-up what are the instructions for tanks?, (b) (6), (b) (7)(C) replied, "for fuel tanks and oil tanks there is a hole cut, but for water tanks no."</p> <p>(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) stated in the future he should refuse pickup, and/or do paperwork on all tanks.</p> <p>(b) (6), (b) (7)(C) (yard help/grappler operator) stated he thought it was a hot water tank or a boiler and "I would've thrown it in the pile." When asked if large water tanks or boilers get holes, or vented he said "no". When asked if large tanks or boilers get valves removed or holes put in them (b) (6), (b) (7)(C) said, "No"</p> <p>(b) (6), (b) (7)(C) said the chlorine tank "looked like a big water tank to me". When asked what are the instructions to follow when getting tanks (b) (6), (b) (7)(C) said for fuel and oil tanks there is a hole cut, but for water tanks, no. When asked about pressure sealed tanks Ted said, "we take 'em to (b) (6), (b) (7)(C) shop and cage". The cage is a secure locked area.</p> <p>What did management say about this violation/hazard?</p> <p>When asked what policies and procedures were in place to ensure employees knew what to do when large sealed containers made it into the possession of the company (b) (6), (b) (7)(C) said "that is a fair question" as we continued the discussion (b) (6), (b) (7)(C) indicated that procedures would be put in place to provide employees information and instruction on this topic.</p> <p>In the preliminary investigation report provided by Pacific Steel and Recycling the report noted that "The employees who observed the vessel did not identify it as material which could not be accepted, or as a container subject to the company's existing rule that all tanks, cylinders, containers and the like be punched, de-valved or otherwise cleared prior to acceptance as scrap."</p>
<b>Severity</b>	<p>One employee died and four others required hospitalization as a result of chlorine exposure. Injuries expected from a chlorine IDHL atmosphere include acute toxicity due to inhalation, severe permanent damage to the pulmonary system, pulmonary edema, pneumonitis, hypoxemia, and death.</p>
<b>Probability</b>	<p>Frequency of exposure/number of employees exposed: 5 employees, rare exposure.</p> <p>Instances or number of times the hazard is identified in the workplace: 1</p> <p>Employee proximity to the hazard: Varied, worst exposures were Immediate to IDHL environment created by the burst tank.</p> <p>Weather and other working conditions: Outdoors, warm and sunny. There was wildfire haze present.</p> <p>Employee skill level and training: Employees all had multiple years of experience. Written training programs are generally good, but the employer's programs training programs were not effective in practice. See violation 1-2.</p> <p>Employee awareness of the hazard: No employee had seen, or knew about, this type of 1-ton chlorine tank.</p> <p>Pace/speed/nature of task/work:</p>

	<p>By employee accounts it was a normal day prior to the release.</p> <p>Use of personal protective equipment: NA</p> <p>Other mitigating or contributing circumstances (Mitigating circumstances may lower the probability; contributing may raise the probability): There was no DOT, HMIS or other hazard labeling on the tank. Another issue discussed with (b) (6), (b) (7)(C) was that the tank was not secured in the truck. Chlorine tanks of this size should be secured during transport. It appears that the tank was removed from service prior to adoption of modern labeling rules. Exposures to noise would be the most serious injury that would be reasonably expected from a tank rupture in the crusher/shear. The shear is lidded when in use, projectiles would not be expected to escape. Chlorine tanks that have not been decommissioned would not be reasonably anticipated.</p>			
<b>Quick Fix</b>				
<b>Good Faith</b>	<p>Is management's commitment at all levels apparent? In general yes, but the material acceptance policy did not appear to be a high priority.</p> <p>Are employees clearly involved in the safety and health programs? Yes. Safety committee meetings and employee trainings were well documented by employer.</p> <p>Are safety and health policies communicated and applied? In general yes, but the material acceptance policy did not appear to be a high priority.</p> <p>Is there evidence of the overall safety and health program, including a written accident prevention program (APP), other required written programs, training, etc.? Yes, employer's written programs were well written. Employer mentioned that L&amp;I consultation performs regular consultations.</p> <p>What is the employer's injury and illness rate? 0.7588</p>			
<b>History</b>	<p>What is the employer's statewide history of previous WISHA violations for the past three years? 3 compliance inspections, 1 serious, 2 repeat generals, 13 general violations. 28 consultation inspections</p>			
<b>Photos</b>	Yes	<b>Photos</b>	1	
<b>Photo ID</b>	<b>Photo Type</b>	<b>Description</b>		
DSCN1215.JPG	Public	Chlorine tank in Metso Shear - employer provided photo	<a href="#">View</a>	<a href="#">Print Form</a>

<b>Inspection Number / Program</b>		<b>UBI / BusLoc</b>		<b>CSHO ID / CSHO Region</b>	
317937532 / Health		600105206 / 339553		Y1116 / (b) (6), (b) (b) (6), / 1055360	
<b>Triggering Activity</b>		<b>Account Number</b>		<b>Assignment Type / Site Region</b>	
102416312		01190701		Accident / 1055360	

<b>Violation #</b>	<b>Item #</b>	<b>Group</b>	<b>Standard Violated</b>		
1	2		296-800-14020		
<b>Type</b>	<b>Number of Instances</b>	<b>Number of Workers Exposed</b>	<b>Related Event Code</b>	<b>Previous Inspection # (for repeat or FTA)</b>	
S	1	5	Accident		
<b>Abatement # of Days/Date</b>	<b>Immediate Restraint</b>	<b>Egregious</b>	<b>Substance</b>	<b>Abatement Documents Required</b>	
	No	No		No	
<b>Date Corrected</b>	<b>Complied During Inspection</b>	<b>Date Verified</b>	<b>How Verified</b>	<b>Date/Time Violation Identified</b>	
8/13/2015	Yes	8/13/2015	Employer Abated	8/13/2015 10:00 AM	
<b>Statutory Penalty</b>	<b>Asbestos Good Faith</b>	<b>Asbestos # of Days</b>	<b>Severity</b>	<b>Probability</b>	
No	No		3	1	
<b>Gravity</b>	<b>Gravity Based Penalty</b>	<b>Faith / Adj</b>	<b>Size / Adj</b>	<b>History Adj</b>	
3	3000.00	Average 0.00	251+ 0.00	Below 300.00	
<b>Quick Fix / Adj</b>	<b>Adjusted Subtotal</b>	<b>Calculated Base</b>	<b>Adjusted Base</b>	<b>Base Applied</b>	
No 0.00	300.00	3,300.00	3,300.00	3,300.00	
<b>Base Applied Override Justification</b>					
N/A					
<b>Willful Factor Number</b>	<b>Repeat Factor Number</b>	<b>FTA Factor Number of Days</b>	<b>Calculated Penalty</b>	<b>Assessed Penalty</b>	
N/A	N/A	N/A	3,300.00	3,300.00	
<b>Assessed Applied Override Justification</b>					
N/A					
Employer did not develop, supervise, implement, and enforce safety and health training programs that are effective in practice. Employees worked in a scrap metal yard and were not provided adequate instruction related to how to deal with unknown large sealed containers. A 1-ton chlorine tank was accepted					



<b>AVD</b>	from an off-site location and shipped by employee to its facility, then placed into a crusher. Employer did not confirm tank had been devalved or checked for contents. Exposure to unknown chemicals can cause injury or death.
<b>Message</b>	
<b>How Complied</b>	Employer updated training program and trained employees.
<b>Violation Summary Text</b>	
<b>Documentation</b>	<p>What was the hazard and location?  The employer did not establish, supervise, and health and safety training that was effective in practice. A closed 1-ton chlorine tank was accepted and shipped by an employee to its scrap metal recovery facility, then placed into a crusher/shear. The chlorine tank had not been devalved or checked for contents, when crushed the tank ruptured and chlorine gas was released.</p> <p>What were the applicable measurements or exposure data? (Make, Model, Serial Number, Height, Etc.)  Employer had a written training policy that indicated no "pressurized gas cylinders/sealed containers" would be accepted into its facility prior to being "degauged or visible" employer' policy also said "tanks/drums (w/out empty tank certificate)" would not be accepted. See attached policy.  Employer had performed training on "Materials Acceptance Policy" in October 2014. See attached training documentation.</p> <p>How are employees exposed to the hazard?  The chlorine tank had not been devalved or checked for contents, when crushed the tank ruptured and chlorine gas was released. Five employees went to the hospital due to chlorine exposure. One hospitalized employee died as a result of the exposure.</p> <p>How long has the hazard existed?  Several months.</p> <p>Employee Exposure Information: (Name and Job Title)  Ed Dumaw, Operator  (b) (6), (b) (7)(C)</p> <p>What did employee(s) say about this violation/hazard?  (b) (6), (b) (7)(C) said, "the drivers could be trained more to see what too look for, what we don't want in loads."  When asked how do you get instructed on hazards (b) (6), (b) (7) said once guys get the memo the hazards are quickly identified.  When asked if large tanks or boilers get valves removed or holes put in them (b) (6), (b) (7) said, "No"  When asked what type of tank he thought is was (b) (6), (b) (7) said, "it looked like a big water tank to me." When asked as a follow-up what are the instructions for tanks? (b) (6), (b) (7) replied, "for fuel tanks and oil tanks there is a hole cut, but for water tanks no." When asked how do you get instructed on hazards (b) (6), (b) (7) said once guys get the memo the hazards are quickly identified.  When asked what are the instructions to follow when getting tanks (b) (6), (b) (7) said for fuel and oil tanks there is a hole cut, but for water tanks, no. When asked about pressure sealed tanks (b) (6), (b) (7) said, "we take 'em to (b) (6), (b) (7) shop and cage". The cage is a secure locked area.</p>



	<p>What did management say about this violation/hazard?</p> <p>In the preliminary investigation report provided by Pacific Steel and Recycling the report noted that "The employees who observed the vessel did not identify it as material which could not be accepted, or as a container subject to the company's existing rule that all tanks, cylinders, containers and the like be punched, de-valved or otherwise cleared prior to acceptance as scrap.</p>
<b>Severity</b>	<p>One employee died and four others required hospitalization as a result of chlorine exposure. Injuries expected from a chlorine IDHL atmosphere include acute toxicity due to inhalation, severe permanent damage to the pulmonary system, pulmonary edema, pneumonitis, hypoxemia, and death.</p>
<b>Probability</b>	<p>Frequency of exposure/number of employees exposed: 5 employees. Employer had performed training on "Materials Acceptance Policy" in October 2014. Though, no specific guidance related to what to do with large unknown sealed containers was provided. See attached training documentation.</p> <p>Instances or number of times the hazard is identified in the workplace: 1 time</p> <p>Employee proximity to the hazard: Varied, worst exposures were Immediate to IDHL environment created by the burst tank.</p> <p>Weather and other working conditions: Outdoors, warm and sunny. There was wildfire haze present.</p> <p>Employee skill level and training: Employees all had multiple years of experience. Written training programs are generally good, but the employer's programs training programs were not effective in practice.</p> <p>Employee awareness of the hazard: No employee had seen, or knew about, this type of 1-ton chlorine tank.</p> <p>Pace/speed/nature of task/work: By employee accounts it was a normal day prior to the release.</p> <p>Use of personal protective equipment: NA</p> <p>Other mitigating or contributing circumstances (Mitigating circumstances may lower the probability; contributing may raise the probability): Employees had been provided training to look for recognizable hazard warnings on the tank. There was no DOT, HMIS or other hazard labeling on the tank. It appears that the tank was removed from service prior to adoption of modern labeling rules.</p>
<b>Quick Fix</b>	
	<p>Is management's commitment at all levels apparent?</p> <p>In general yes, but the material acceptance policy did not appear to be a high priority.</p> <p>Are employees clearly involved in the safety and health programs?</p> <p>Yes. Safety committee meetings and employee trainings were well documented by employer.</p>

<b>Good Faith</b>	<p>Are safety and health policies communicated and applied? In general yes, but the material acceptance policy did not appear to be a high priority.</p> <p>Is there evidence of the overall safety and health program, including a written accident prevention program (APP), other required written programs, training, etc.? Yes, employer's written programs were well written. Employer mentioned that L&amp;I consultation performs regular consultations.</p> <p>What is the employer's injury and illness rate? 0.7588</p>			
<b>History</b>	<p>What is the employer's statewide history of previous WISHA violations for the past three years? 3 compliance inspections, 1 serious, 2 repeat generals, 13 general violations. 28 consultation inspections</p>			
<b>Photos</b>	Yes	<b>Photos</b>	1	
<b>Photo ID</b>	<b>Photo Type</b>	<b>Description</b>		
DSCN1215.JPG	Public	Chlorine tank in Metso shear - employer provided photo.	<a href="#">View</a>	<a href="#">Print Form</a>

Total Penalty: \$6,600.00